IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

A. O. NO. 1050 OF 1998

Subhod S. Shah & anr. ..... Appellants
VS.
Laxmi Industrial Estate & ors. ... Respondents

Mr. R. A. Thorat for appellant .
Mr. A. R. Patil for respondent no.1.
Mr. M.B. Kale h/f. Mr. U.B. Nighole for respondent nos. 2 and 7.

CORAM: D. G. KARNIK **J.**

DATE: 20th November 2006

P.C.:

1. Heard learned counsel for the appellant and respondents.
2. At the time of admission of the appeal by order dated 22nd December 1998 this court granted ad interim order in favour of the appellant subject to certain conditions. Ad interim relief is in force for a period of nearly 9 years. In the meanwhile the suit has become ready for hearing. Learned counsel for the appellant states that the issues have been framed and the suit is likely to be heard soon.
3. In the circumstances narrated above learned counsel for the appellant and respondent no.1 submits that interim order passed by this court on 22nd December 1998 would govern the parties and the hearing of the suit may be expedited

without hearing the appeal on merits. The request is granted. Appeal is disposed by the following order.

4. Parties shall abide by the interim order dated 22nd December 2006 passed by this court till the disposal of the suit. Hearing of the suit is expedited. Counsel for the parties agree that they would cooperate with the trial court for expeditious hearing and shall not ask for unnecessary adjournment, except on account of unavoidable circumstances. Statement is recorded and accepted. The trial court shall dispose of the suit, as expeditiously as possible and in event, within a period of one year. Appeal is disposed of.

(D.G. KARNIK J.)